

**FUNERAL DIRECTORS EXAMINING BOARD MEETING
MINUTES
MAY 17, 2005**

PRESENT: J. C. Frazier, Bonnie Gift, Rosalie Murphy, David Olsen (via telephone),
Connie Ryan, and Rick Unbehaun

STAFF PRESENT: Kimberly Nania, Division Administrator, Board Services; Jacquelynn
Rothstein, Legal Counsel; Judy Mender, Credentialing; Pat Schenck,
Program Assistant; and Division of Enforcement Staff

GUESTS: Mark Paget, WFDA
Christine Jacoo, Krause Funeral Home
Erin Longmire, FSA

CALL TO ORDER

Rick Unbehaun, Chair, called the meeting to order at 9:35 a.m. A quorum of six members was present.

AGENDA

Additions to Agenda:

- Add Stipulation – Elaine R. Fossum to Item 17. c. ii.

MOTION: David Olsen moved, seconded by Bonnie Gift, to approve the agenda as
with addition. Motion carried unanimously.

INTRODUCTION OF SECRETARY

Kimberly Nania, Division Administrator of Board Services, reported that Jerry Lowrie has
resigned as the Bureau Director with the Department and that she will be filling in as the Bureau
Director of Business and Design until the Secretary of the Department appoints a new Bureau
Director.

Dr. Nania introduced Secretary Ceilia Jackson. Secretary Jackson thanked the members of the
Board for their service.

APPROVAL OF MINUTES FEBRUARY 8, 2005

MOTION: David Olsen moved, seconded by Bonnie Gift, to approve the minutes of
February 8, 2005 as written. Motion carried unanimously.

**ADMINISTRATIVE REPORT
KIMBERLY NANIA, DIVISION ADMINISTRATOR**

Dr. Nania reported that construction is underway on the remodel for the Department and that the projected date of completion may be September 1, 2005.

Board Roster

The Board questioned the appointment process in replacing Board members whose terms are expiring. Dr. Nania reported that Board members may serve on the Board after their terms have expired until they are replaced by the Governor's office.

2005 Meeting Dates

The next meeting is August 23, 2005.

Summary Reports on Pending Court Cases, Disciplinary Cases and Administrative Rules and Press Releases

Noted.

To do List

Noted.

Small Business Review Committee

No discussion.

**TRAVEL
101ST ANNUAL ICFSEB CONVENTION APRIL 9-10, 2005
REPORT – DAVID OLSEN**

David Olsen reported on the International Conference of Funeral Service Examining Boards (ISFSEB) 101st Annual Convention he attended on April 9-10, 2005 at Rogers, Arkansas.

Some items of interest included:

- New graduates completing mortuary school will be required to take the national examination.
- Students who were not required to take the national examination previously will now be required to write the national examination.
- Budget items.
- Update on legal issues.
- Break-out sessions included:
 - Cremation Bill – who gives authorization to cremate?
 - Nation wide database of continuing education and disciplinary actions.

- Schools are now teaching web design as part of the curriculum.

Mr. Olsen will distribute additional information on breakout sessions to the individual Board members.

The next ISFSEB meeting is in the spring of 2006 at Louisville, KY.

LEGISLATIVE UPDATE/RECAP

Assembly Bill 75 - Authorizing the Cremation of Human Remains

The Board discussed the status of Assembly Bill 75 that creates a Crematory Authority Council in the Department of Regulation and Licensing. In addition, the bill creates a new subchapter of the statutes relating to crematory authorities. That subchapter establishes requirements regarding registration of crematory authorities and specifies powers and duties of persons who may direct cremation, described in the bill as “authorizing agents.” The subchapter also establishes requirements for crematory authorities, cremations, and deliveries and disposition of cremated remains.

Dr. Nania reported that there is a Senate Hearing on Wednesday, May 18, 2005, at 10:00 a.m. The Chair encouraged Board members to testify at the hearing.

MOTION: J. C. Frazier moved, seconded by Rosalie Murphy, authorizing David Olsen or another representative to testify in favor of AB75 on behalf of the Funeral Directors Examining Board at the Senate Hearing on Wednesday, May 18, 2005, at 10:00 a.m. at the Senate Veterans, Homeland Security, Military Affairs, Small Business and Government Reform Committee, Room 201-SE. Motion carried unanimously

CONTINUING EDUCATION ISSUES

None

EXAMINATION ISSUES

None

CREDENTIALING

None.

PRACTICE ISSUES- LEGAL COUNSEL

Notice of Removal of a Human Corpse - Update

The Board questioned whether DHFS changed the language revision to item 17 as requested by the Board. A draft of the change will be included in the next agenda for the Boards review.

ICFSEB

AEFSB April 23, 2004 Minutes - Information

Informational item only.

DIVISION OF ENFORCEMENT

None

BOARD MEMBER ACTIVITY

The Board members gave brief reports on activities undertaken since the last meeting.

VISITORS COMMENTS

Mark Paget questioned whether the Department has an updated copy of the brochure "A Consumer's Guide to Pre Planning a Funeral." Judy Mender distributed a revised brochure dated October 2003.

The Board discussed a procedure of referring the public to the Department's website.

NEW BUSINESS

None.

**PRESENTATION OF PROPOSED STIPULATIONS BY DIVISION OF
ENFORCEMENT**

Mark Herman, Attorney, presented the proposed stipulation in the matter concerning Elaine R. Fossum - 04 FDR 014, 019.

Angela Arrington, Attorney, presented the proposed stipulation in the matter concerning Richard A. Bertram, Dommersnaes-Bertram Family Funeral Home 02 FDR 040

CLOSED SESSION

MOTION: David Olsen moved, seconded by Bonnie Gift, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; to consider licensure or discipline (s. 19.85(1)(b), Stats.; to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats. Roll Call Vote: Rick Unbehaun-yes; J.C. Frazier-yes; Bonnie Gift-yes; David Olsen-yes; Rosalie Murphy-yes; Connie Ryan-yes. Motion carried unanimously.

Open Session recessed at 10:58 a.m.

The Board deliberated on the Monitoring Report, the Case Status Report and Case Closings, Proposed Stipulations, Proposed Administrative Warnings, and Pending Applications.

RECONVENE TO OPEN SESSION

MOTION Bonnie Gift moved, seconded by Connie Ryan, to reconvene into Open Session at 11:52 a.m. Motion carried unanimously.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE

MONITORING REPORTS

None.

CASE CLOSINGS

02 FDR 026

MOTION: David Olsen moved, seconded by J. C. Frazier, to close case **02 FDR 026** for prosecutorial discretion (P5) and request that Eric Callisto, Division Administrator, Division of Enforcement, write a letter to the past credential holders employer in Minnesota. Motion carried unanimously.

04 FDR 013

MOTION: J. C. Frazier moved, seconded by Rosalie Murphy, to close case **04 FDR 013** for prosecutorial discretion (P1). Rick Unbehaun, Case Advisor. Motion carried unanimously.

02 FDR 006

MOTION: J. C. Frazier moved, seconded by Bonnie Gift, to close case **02 FDR 006** for no violation. Rick Unbehaun, Case Advisor. Motion carried unanimously.

STIPULATIONS

RICHARD A. BERTRAM

DOMMERSNAES-BERTRAM FAMILY FUNERAL HOME - 02 FDR 040

MOTION: Connie Ryan moved, seconded by J. C. Frazer, to adopt the Proposed Stipulation, Final Decision, and Order in the matter concerning **Richard A. Bertram Dommersnaes-Bertram Family Funeral Home - 02 FDR 040**. J. C. Frazier, Case Advisor. Motion carried.

ELAINE R. FOSSUM 04 FDR 006

MOTION: Rosalie Murphy moved, seconded by Connie Ryan, to adopt the Proposed Stipulation, Final Decision, and Order in the matter concerning **Elaine R. Fossum 04 FDR 006**. J. C. Frazier, Case Advisor. Motion carried.

ADMINISTRATIVE WARNING

04 FDR 013

MOTION: J. C. Frazier moved, seconded by David Olsen, to accept the administrative warning as written in the matter concerning **Paul J. Kraemer 04 FDR 013**. Rick Unbehaun, Case Advisor. Motion carried.

PENDING APPLICATIONS

None.

ADJOURNMENT

MOTION: Connie Ryan moved, seconded by Bonnie Gift, to adjourn the meeting at 11:56 a.m. Motion carried unanimously.

NEXT MEETING: August 23, 2005